

### REMARKS

Claims **1-20** are pending. By this amendment, claims **6, 10, 19** and **20** are amended for the Examiner's consideration. No new matter has been added. Reconsideration and timely withdrawal of the pending rejections are requested for the reasons discussed below.

#### ***Present Amendment is proper for entry***

Applicant respectfully submits that the instant amendment is proper for entry after final rejection. Applicant notes that no question of new matter is presented nor are any new issues raised in entering the instant amendment of the claims and that no new search would be required. Moreover, Applicant submits that the instant amendment places the application in condition for allowance, or at least in better form for appeal. Accordingly, Applicant request the Examiner to enter the instant amendment, consider the merits of the same, and indicate the allowability of the present application and each of the pending claims. Applicant notes, in particular, the claims have been amended only to correct some minor informalities.

#### ***35 U.S.C. § 103 Rejections***

Claims **1-20** are rejected under 35 U.S.C. § 103(a) over U. S. Patent No. 5,867,110 to NAITO, *et al.* ("NAITO") and U.S. Patent No. 6,263,347 to KOBAYASHI, *et al.* ("KOBAYASHI"), and further in view of U.S. Patent No. 5,835,916 to INAKI ("INAKI"). This rejection is respectfully traversed.

Claims 7-9, 13-18 and 20 are also rejected under 35 U.S.C. § 103(a) over U. S. Patent No. 5,867,110 to NAITO, *et al.* ("NAITO") and U.S. Patent No. 6,263,347 to KOBAYASHI, *et al.* ("KOBAYASHI"). This rejection is also respectfully traversed.

A rejection under 35 U.S.C. § 103(a) requires the Examiner to establish a prima facie case of obviousness: "The examiner bears the initial burden of factually supporting any prima facie conclusion of obviousness. If the examiner does not produce a prima facie case, the applicant is under no obligation to submit evidence of nonobviousness." M.P.E.P. § 2142. The Court of Appeals for the Federal Circuit has set forth three elements which must be shown for prima facie obviousness:

In making a rejection under 35 U.S.C. §103(a), there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

In this case, claims 1-20 are allowable over NAITO, KOBAYASHI and INAKI because they each recite at least one feature that the combination of NAITO, KOBAYASHI and INAKI does not teach.

For example, independent claims 1, 6 and 10, in part, recite a host computer for holding a database in which position data of an object to be managed is stored in relation to attribute data of the object to be managed. In claim 1, the position data includes coordinate data comprising starting points "X" and "Y" and end points "X" and

“Y” for each object to be managed and a data communication system transfers only a selected database from the host computer to the portable terminal machine so that only information about the object to be managed and surrounding environment attributes is transferred to the portable terminal machine. In claim 6, a map display unit is utilized for displaying a position where the particular object is located on a map according to the position information, the map includes physical attributes of both the object to be managed and attributes of an environment surrounding the object to be managed. In claim 10, the database outputting unit outputs only a selected portion of the database to a portable terminal machine so that only information about the object to be managed and physical attributes of a surrounding environment is transferred to the portable terminal.

Claims 1 and 6 further recite an editing tool for editing the coordinate data of a new object to be managed or when the object to be managed is moved to a new location. The portable terminal machine displays a position of the object to be managed according to the coordinate data in the database transferred from the host computer to the portable terminal machine and physical attributes of an environment surrounding the object to be managed. Claim 6 also recites that the physical attributes can be partitioned. Finally, claim 7 recites a searching unit for searching the database stored in the data storing unit according to the retrieval condition to identify a match between the attribute data and the retrieval condition and consequently to identify position data of the object to be managed independent of the portable position display apparatus's position.

NAITO clearly does not teach these features. In NAITO, a satellite GPS system communicates position data indicative of the portable display unit's position directly to

the portable display unit itself. In turn, the portable display unit automatically relays this position data to a host server. Upon receipt of the portable display unit's position data, the host server processes the position data to determine what area the portable display unit is in, and uses the processed position data to retrieve predetermined weather, road, and emergency data from a database. Because the retrieved data is based on the portable display unit's position, it corresponds to or identifies real-time events occurring in the portable display unit's geographical area. The system in NAITO neither provides a portable terminal machine that specifies an object to be managed, among a plurality of objects to be managed, as admitted by the Examiner, nor prompts a user to specify a specific object to be managed from among the plurality of objects to be managed.

Applicant emphasizes that NAITO does not disclose or suggest, for example,

1. an editing tool editing tool for editing the coordinate data of a new object to be managed or when the object to be managed is being moved to a new location;
2. a database in which position data of an object to be managed is stored in relation to attribute data of the object to be managed;
3. coordinate data comprising starting points "X" and "Y" and end points "X" and "Y" for each object to be managed;
4. a data communication system or database outputting unit which transfers or outputs, respectively, only a selected database from the host computer to the portable terminal machine so that only information about the object to be managed and surrounding environment attributes is transferred to the portable terminal; or
5. physical attributes that are partitioned.

KOBAYASHI does not compensate for or cure these deficiencies of NAITO.

KOBAYASHI discloses a system for linking data between a computer and a portable remote terminal enabling data extracted from a personal computer into a portable

remote terminal to be edited and applied freely. The system of KOBAYASHI describes data base definitions, such as, for example, (a) Data Base Definitions DB41; (b) Item Definition DB42; (c) Relation Definition DB43; (d) User's Selection Item DB44; and (e) Object Storage DB45. KOBAYASHI also describes an Initialization Processing, Data Editing on the Portable Remote Terminal, Synchronous Processing, and Data Display Item Editing. KOBAYASHI does not disclose or suggest a system that is designed to maintain or manage objects, as defined by the claimed invention. The only similarities with KOBAYASHI and the claimed invention is the use of a database and a remote terminal.

The Examiner is of the opinion, though, that KOBAYASHI discloses creating on the portable terminal an item definition database which defines record attributes, an object storage database which stores object data on a record basis correspondingly to the item definition database, a relation definition database which defines relation among object data stored in the object storage database and definition database which defines among the respective databases created (col. 5, lines 6-40).

Applicant respectfully disagrees that these features are not even remotely similar to the claimed invention. For example, KOBAYASHI shows the DB40 of the portable remote terminal 11 is composed of a data base definition DB41, an item definition DB42, a relation definition DB43, a user's selection item DB44 and an object storage DB (45a, 45b, 45c, . . . 45n). These features are merely used to create a database and allow for communication between a remote terminal and a host computer, e.g., personal computer. The objects discussed in KOBAYASHI, though, are not objects to be managed in a physical space. Also, these objects are not associated or even remotely

suggested in KOBAYASHI to be modified for managing objects based on position data. The only position, even remotely suggested in KOBAYASHI, is that of the physical location of the objects within the database. This is obvious from a fair reading of the entire disclosure of KOBAYASHI.

Applicant submits that the Examiner has clearly misconstrued the disclosure of KOBAYASHI. For example, as exemplified by the following language on col. 12, lines 41-59, KOBAYASHI merely discloses using a link between a computer and a portable terminal so that the terminal can selectively take and use the data therefrom.

As described in the foregoing, the present embodiment enables the portable remote terminal 11 to arbitrarily take out a part of data items of the host DB22 of the personal computer 10 and conduct data editing (display/modification/input). When a user brings out and uses the portable remote terminal 11 at his or her destination, therefore, effective use of data is possible.

As described in the foregoing, the system for linking data between a personal computer and a portable remote terminal of the present invention and the data linking method therefor attain the following effects.

First, the processing of taking in data from the personal computer into the portable remote terminal and the processing of synchronizing the portable remote terminal with the personal computer can be executed in a short time period because only the data that needs to be brought out from a data base of the computer by the portable remote terminal is selectable.

Secondly, quick application of data is enabled by selectively taking in data that needs to be brought out from a data base of the computer by the portable remote terminal.

Thirdly, since the order of displayed items or display/non-display of data brought out into the portable remote terminal can be changed by a user as required, efficient use of data is possible.

INAKI also fails to cure the above-noted deficiencies of NAITO and KOBAYASHI.

In fact, INAKI is entirely unrelated to the field of Applicant's invention or to the fields of

NAITO and KOBAYASHI. Applicant notes, for example, that INAKI merely relates to a document preparing apparatus which is capable of relocating cells of a table (see col. 1, lines 9-13). This document has nothing whatsoever to do with a system that is designed to maintain or manage objects or with regard to linking terminals to a host computer in order generate a map indicating terminal locations and fixed items. Nor is the Examiner correct that col. 4, lines 40-46 of INAKI teaches the recited data coordinate points. This language merely states the following:

The element manager 4 manages data SX, SY, EX and EY indicating a specified range for an object, and data T indicating the type of the object, such data is referred to as object management data OD and is shown in FIG. 2. The specified object range data SX, SY, EX and EY are represented by data on the coordinates for the start points X and Y and data on the coordinates for the end points X and Y.

Such language relates to a disclosed way of storing data on an element manager and has nothing to do with position data for each object to be managed. The Examiner has simply misconstrued the language in INAKI.

As to independent claims 7, 10 and 13 and 17, Applicant submits that the combination of NAITO and KOBAYASHI, with or without INAKI, does not show many of the remaining features. For example, claim 7 (and claims 19 and 20) specifically recites that position data of an object to be managed is retrieved independent of the portable terminal machine's position or user. In other words, the retrieved position data does not correspond to a location of the portable terminal machine or user, but rather corresponds to a location of an object to be managed that was specified by a user from among a plurality of objects to be managed.

In contrast, the system in NAITO is dependent on the position of its portable display unit. For example, NAITO discloses receiving the portable display unit's position data and processing that data to retrieve predetermined map, weather, and emergency data from a database connected to the host server. In NAITO, it is absolutely necessary for the system to know the position of the portable terminal or display. For without this information, NAITO cannot retrieve map, weather or emergency data from the database, associated with the location of the portable terminal. This is contrary to the invention of claim 7 (and claims 19 and 20), which recites that the information retrieved is independent of the location of the portable terminal machine (or user).

The Examiner also explains that KOBAYASHI discloses these features. However, Applicant submits that there is no motivation to make such a combination, and even if such combination were made, it still would not result in the claimed invention. First, NAITO requires the information to be dependent on the position of the remote terminal. No combination of references can change this aspect of the system in NAITO. Clearly, by trying to make the information independent on the location of the terminal, in NAITO, the system would not work in the manner described by NAITO. Thus, there is a teaching away from the combination suggested by the Examiner.

Claim 13, recites, in pertinent part:

... displaying the position of the specific object to be managed in the area on the map according to the map data and the position data read from the database ...

Additionally, independent claim 17 recites, in pertinent part:

... a second process for drawing on the map a display mark of the object to be managed according to an input from a



user that specifies the object to be managed from among a plurality of objects to be managed ...

However, no proper combination of NAITO, KOBAYASHI and INAKI disclose or suggest these features. NAITO discloses receiving the portable display unit's position data and processing that data to retrieve predetermined map, weather, and emergency data from a database connected to the host server. There is no indication in NAITO or KOBAYASHI to display the actual object on a display, e.g., a computer for example. In fact, KOBAYASHI does not even go as far as to disclose the use of displaying any objects to be managed, in accordance and as defined by the claimed invention. KOBAYASHI is directed to management of the database, itself. NAITO, on the other hand, is only concerned with the display of emergency information, road conditions, etc., but does not display the location of the device on a display, much less in any coordinate system, display area or management of such devices. Finally, as indicated above, INAKI merely relates to a document preparing apparatus and is entirely unrelated to the subject matter of the instant invention. NAITO, KOBAYASHI and INAKI simply are not directed to maintaining or managing devices or objects.

Also claim 8, recites:

The apparatus of claim 7, further including a data receiving unit for receiving the database.

Similarly, claim 9 recites:

The apparatus of claim 7, further including a management information display unit for displaying management information of the object to be managed according to the attribute data in the database when the searching unit identifies the match.

In contrast to claim 8, NAITO, like KOBAYASHI and INAKI, does not disclose that its database is transferable, at least not between the host server and the portable display unit. Rather, the host server accesses the database, retrieves necessary information, and then transmits this retrieved information to a remote portable display unit. The claimed invention, on the other hand, transfers an entire database or a portion thereof of predetermined attribute and position information to a data receiving unit, which in one embodiment is a portable terminal machine. For this reason, claim 8 is allowable over NAITO, KOBAYASHI and INAKI.

In contrast to claim 9, NAITO, like KOBAYASHI and INAKI, does not disclose displaying management information about one of a plurality of objects to be managed according to that attribute data in the database when the searching unit identifies the match. Instead, NAITO's portable terminal machine transmits its real-time position information to the host server, which processes the information to retrieve from a database predetermined information that corresponds to the position currently occupied by the portable display unit. For this reason, claim 9 is allowable over NAITO, KOBAYASHI and INAKI.

Claim 11 recites, in pertinent part:

... a mark drawing unit for enabling a user to draw a display mark on the map displayed by the map display unit;

a coordinate obtaining unit for obtaining coordinates of the display mark drawn by the mark drawing unit; and

a data storing unit for storing the coordinate data in the database as the position data of the display mark.

In contrast, nothing in NAITO (or in KOBAYASHI and INAKI) discloses that its portable terminal machine includes a mark drawing unit for enabling a user to draw a display mark on the map displayed by the map display unit. Instead, NAITO teaches that the map data retrieved from a database based on a position of the portable display unit is simply displayed for the user to see. The user is not able to mark the map as recited in claim 11. The passages cited by the Examiner simply do not disclose or suggest these features.

Similar to claim 11, claim 12 recites in pertinent part:

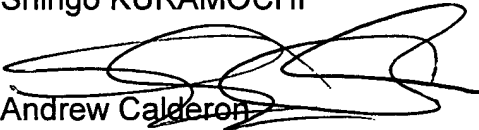
wherein the map display unit, when the display mark is drawn by the mark drawing unit, displays a reference line created on the map in response to a fixed item in the area in which the object to be managed is positioned.

In contrast, nothing in NAITO, KOBAYASHI or INAKI discloses this claimed feature. For example, the portable display unit disclosed by NAITO does not display a reference line created on the map in response to a fixed item in the area in which the object to be managed is positioned. Instead, as disclosed at col. 9, lines 50-54, NAITO's communication host apparatus refers to the retrieval key table in the database to determine the longitude and latitude ranges defining an area in which the position corresponding to the received position information data falls. However, referencing a key table to determine longitude and latitude ranges is not the same as displaying a reference line on a map as claimed. Consequently, claim 12 is allowable over NAITO, KOBAYASHI and INAKI.

### CONCLUSION

In view of the foregoing amendments and remarks, Applicant submits that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Please charge any deficiencies in fees and credit any overpayment of fees to **IBM Deposit Account 09-0457**.

Respectfully submitted,  
Shingo KURAMOCHI



Andrew Calderon  
Reg. No. 38,093

August 22, 2005  
Greenblum & Bernstein, P.L.C.  
1950 Roland Clarke Place  
Reston, Virginia 20191  
Telephone: 703-716-1191  
Facsimile: 703-716-1180